

SUMMARY OF SELECTED STATUTES RELATED TO LEGISLATIVE BRANCH INFORMATION TECHNOLOGY PLANNING

Purpose of Legislative Branch Computer System Statutes (5-11-401, MCA). The purpose of the statutes is to establish a planning mechanism encompassing:

- broad policy needs;
- long-term direction for computer use; and
- effective implementation of a legislative branch plan.

Purpose of Legislative Branch Plan (5-11-401, MCA). The purpose of the branch plan is to:

- assure coordination of branch information system decisions; and
- enhance coordination of legislative branch systems with executive branch systems whenever possible

Duties of Legislative Branch Computer System Planning Council (5-11-403, MCA). The Planning Council must develop and maintain a branch plan including:

- reviewing existing systems that are candidates for automation;
- reviewing existing automated systems that may be improved or integrated with new applications;
- developing and maintaining a description of branch functions or services that would, through application or improvement of computer technology, provide better service;
- developing and maintaining a ranking of needs; and
- developing and maintaining recommended branch system standards and standard or custom software and hardware solutions.

To the extent possible:

- future applications should be identified in the plan;
- current applications should be flexible so as not to limit future applications; and
- current and future applications should be compatible with legislative and executive branch standards.

Duties of Legislative Services Division (5-11-404, MCA). The Division must provide technical support to the Council by:

- developing analyses of existing and alternative systems;
- providing technical solutions and advice related to standards set by the Planning Council;
- assessing the benefits and costs of solutions;
- apprising the Council on developments in the industry;
- maintaining a liaison with the executive branch; and
- assisting in selection and purchasing of supplies and equipment; and
- providing other assistance as otherwise requested.

Duties of the Legislative Council (5-11-405 and 2-17-518, MCA). The Legislative Council must:

- approve and adopt the branch computer system plan; and
- adopt adequate rules for the use of any information technology resource for the consolidated legislative branch with the concurrence of the Legislative Audit and Finance Committees.

Duties of the Legislative Branch (2-17-517, MCA). The legislative branch must provide its information technology plan to the Department of Administration.

MONTANA CODE ANNOTATED 2009
Title 5, chapter 11, part 4
Computer System Planning

5-11-401. Purpose. It is the purpose of this part to establish a mechanism for computer system planning encompassing broad policy needs, long-term direction for computer use, and the effective implementation of a detailed plan for the legislative branch. It is the purpose of the plan to assure coordination of information system decisions so that the overall effectiveness of the senate, the house of representatives, and legislative agencies may be improved. It is the further purpose of the plan to enhance the coordination of legislative branch systems with executive branch systems wherever possible.

5-11-402. Legislative branch computer system planning council. There is a legislative branch computer system planning council composed of:

- (1) the secretary of the senate or another representative of the senate designated by the president;
- (2) the chief clerk of the house of representatives or another representative of the house designated by the speaker;
- (3) the sergeants-at-arms in the two houses or another representative of each house designated by the presiding officer of that house;
- (4) the executive director of the legislative services division, who shall chair the planning council;
- (5) the legislative auditor;
- (6) the legislative fiscal analyst;
- (7) the consumer counsel; and
- (8) a person designated by the director of the department of administration to represent the information technology responsibilities of the department, who shall serve as a nonvoting member of the planning council.

5-11-403. Duties of legislative branch computer system planning council. (1) The legislative branch computer system planning council shall develop and maintain a legislative branch computer system plan. In developing and maintaining this plan, the planning council shall:

- (a) continuously review or have reviewed existing information systems that are candidates for automation or enhancement, as well as review existing automated systems that may be improved or integrated with new applications;
 - (b) develop and maintain a description of functions or services in the legislative branch and its agencies that would, through application or improvement of computer technology, provide better service to members of the legislature, legislative agencies, and the public;
 - (c) develop and maintain a ranking of needs, taking into consideration the relative effectiveness and probable cost of alternative systems; and
 - (d) develop and maintain recommended system standards for the legislative branch and standard or custom software and hardware solutions appropriate to the needs and environment of the legislative branch and its agencies.
- (2) To the extent possible:
- (a) future applications should be explicitly identified in the plan;
 - (b) current applications should allow a high degree of flexibility so that future applications are not limited; and
 - (c) both current and future applications should be coordinated and compatible with the

standards and goals of the executive branch as expressed in the state strategic information technology plan provided for in 2-17-521, as well as the legislative branch standards developed in accordance with the requirement in subsection (1)(d).

5-11-404. Technical support. (1) The executive director of the legislative services division shall provide technical staff support to the legislative branch computer system planning council. In performing this duty, the legislative services division shall assist the planning council by:

- (a) developing or having developed analyses of existing and alternate systems;
- (b) providing technical solutions and advice related to the standards set by the planning council;
- (c) assisting in assessing benefits and costs of optional solutions;
- (d) apprising the planning council of developments and directions in the industry;
- (e) maintaining a liaison with and informing the planning council of plans and directions within the executive branch; assisting in the selection and purchasing of supplies and equipment; and
- (f) providing other assistance as may be requested.

(2) The executive director shall encourage participation of appropriate personnel of the senate, the house of representatives, and other legislative entities in the provision of technical support.

5-11-405. Legislative branch computer system plan -- adoption. The legislative branch computer system plan must be approved and adopted by the legislative council.

5-11-406. Legislative branch systems -- conformity to standards. Computer hardware and software systems installed by the senate, the house of representatives, and legislative branch agencies must conform to standards established in the legislative branch computer system plan in effect at the time the purchasing decision is made.

5-11-407. Legislative branch reserve account. (1) There is a legislative branch reserve account in the state special revenue fund. Money may be deposited in the account through an allocation of money to the account or as provided in 17-7-304.

(2) (a) The money in the account is statutorily appropriated, as provided in 17-7-502, to the legislative services division to be used only for major legislative branch information technology projects, including the purchase of hardware, software, and consulting services for new initiatives and replacement and upgrading of existing systems.

(b) The money in the account may be expended only with the approval of the legislative council. The legislative branch computer system planning council may make recommendations to the legislative council for the use of the money in the account.

(3) The money in the account must be invested pursuant to Title 17, chapter 6. The income and earnings on the account must be deposited in the account.